



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,886	01/07/2002	Van Jacobson	1293	5638

30748 7590 03/24/2005

INNOVATION PARTNERS
540 UNIVERSITY DRIVE
SUITE 300
PALO ALTO, CA 94301

EXAMINER

ALOMARI, FIRAS B

ART UNIT PAPER NUMBER

2136

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,886

Applicant(s)

JACOBSON ET AL.

Examiner

Firas Alomari

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. claim 1-24 are objected to for the following reason. The claim language must be more specific for Examiner to understand and be able to search for the invention. The claims as presented cause massive ambiguities, which make examination highly difficult. Examiner will interpret the claims to their broadest reasonable interpretation until a more clear presentation of the claims has been displayed.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The term "sineprocessly" in claims 1,9 and 17 is a relative term which renders the claim indefinite. The term "sineprocessly" is not defined by the claims, the specification does not provide a standard for ascertaining the

Art Unit: 2136

requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Examiner will interpret the claims to their broadest reasonable interpretation. Claims 2-8, 10-16 and 18-24 are rejected on virtue of their dependency on claims 1,9 and 17.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Elgamal et al. US (5657390).

As per claims 1,9 and 17: Elgamal discloses a method of responding to at least one request for communication, comprising:

Receiving the request from a client computer system intended for a server; (Col 7, Lines 12-15)

Art Unit: 2136

Generating a response to the request sineprocessly;(Col 7, Lines 20-26) and
Providing the response to the client computer system sineprocessly.(Col 7, Lines
20-40)

As per Claims 2,10 and 18: Elgamal discloses the method of claim 1 additionally
comprising:

Receiving from the client computer system a response to the response provided;
(Col 7, Lines 41-47) and

Providing the request to a server responsive to the receiving the response to the
response step. (Col 7, Lines52-56)

As per claim 3,11 and 19: Elgamal discloses wherein the providing a response
step comprises assigning a first identifier to the request; (Col 7, Lines 20-24 /
connection_identification) and additionally comprising:

Receiving from the server a response to the request provided to the server, said
response to the request provided to the server comprising a second
identifier;(Col 8, Lines 32-35/ session_identification) and

Associating the first identifier with the second identifier. (Col 9, Lines 6-9)

As per claims 4,12 and 20: Elgamal discloses the method of claim 3 additionally
comprising:

Art Unit: 2136

receiving from the client computer system following the receiving from the server step a first subsequent communication comprising the first identifier(Col 10, Lines 3-6); and

providing to the server a second subsequent communication comprising at least a portion of the first subsequent communication having the first identifier replaced with the second identifier. (Col 10, Lines 20-24)

As per claims 5,13 and 21: Elgamal discloses the method of claim 4 wherein the providing to the server the second subsequent communication step is responsive to a first criteria corresponding to a second criteria of the server.(Col 10, Lines 11-17)

As per claims 6,14 and 22: Elgamal discloses the method of claim 1 wherein the request comprises a client hello. (Col 7, Line 13-14)

As per claims 7,15 and 23: Elgamal discloses the method of claim 6 wherein the response comprises a server hello.(Col 7, Lines 20-21)

As per claims 8,16 and 24: Elgamal discloses the method of claim 1 wherein at least one selected from the response and the request comprises a communication in at least one format selected from SSL and TLS. (Col 6, Lines 38-45)

Art Unit: 2136


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firas Alomari whose telephone number is (571) 272-7963. The examiner can normally be reached on M-F from 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ SHEIKH can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Firas Alomari
Examiner
Art Unit 2136

FA


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100